

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>****I. EXECUTIVE SUMMARY**


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Date of Incident:	August 28, 2015 and other unknown dates
Time of Incident:	7:50 AM
Location of Incident:	XXXXXX S. Avenue J
Date of COPA Notification:	August 28, 2015
Time of COPA Notification:	9:35 AM

Ms. Subject 1 alleged that her husband Police Officer A demanded that she allow him to search her gym bag before she left the house with their daughters. Officer A pulled on the bag and caused a coffee cup that Subject 1 had in her hand to spill. The couple's three daughters witnessed the incident and one of them called police. The police, including a sergeant, arrived on the scene and documented this incident. Subject 1 provided a statement in which she stated that prior to the incident of August 28, 2015, Officer A had struck her on the face and pointed a handgun at her and threatened to kill her.

**II. INVOLVED PARTIES**


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Involved Officer #1:	Officer A , #XXXXXX; Employee #XXXXXX; DOA: September 13, 1999; Police Officer; Unit XXX; DOB: XX/XX 1975; male; white
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Subject #1:	Subject 1; DOB: XX/XX 1979; female; white
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**III. ALLEGATIONS**

Officer	Allegation	Finding
Officer A	1. The complainant alleged that the accused officer grabbed her causing bruising, in violation of Rule 9. 2. The complainant alleged that the accused officer punched her on the face, in violation of Rule 9. 3. The complainant alleged that the accused officer pointed a handgun at her and threatened to kill her, in violation of Rule 38.	Not Sustained Not Sustained Not Sustained

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<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

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1. Rule 9 – Engaging in any unjustified verbal or physical altercation, with any person while on or off duty.
2. Rule 38 – Unlawful or unnecessary use or display of a weapon.

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#### V. INVESTIGATION<sup>2</sup>

##### a. Interviews

In a statement with IPRA on August 28, 2015,<sup>3</sup> **Complainant Subject 1** alleged that her husband, Police Officer A, stopped her from leaving the house and wanted to search her gym bag. He told her that he thought she put some of his personal belongings in the bag. Officer A grabbed the bag, which was wrapped around Subject 1 and tugged on it. This caused Subject 1 to move back and forth and the coffee in her hand to spill on her. Subject 1 set the coffee down and Officer A grabbed her by the arm and told her to let him look in the bag. Subject 1 stated that she eventually let Officer A see inside the bag so that she could leave the house. Earlier in the week of this incident, Officer A argued with Subject 1 when she came home from grocery shopping. He put his fists in the air while talking. Officer A said something about Subject 1 needing to sleep with one eye open. She raised her head as she was putting groceries away. Officer A lowered his fist at the same time and struck Subject 1 on her jaw. Officer A claimed that Subject 1 walked into his fist and Subject 1 said she did not. Officer A left the house after that. Subject 1 did not call police because Officer A told her it would affect their income. Subject 1 also stated that in approximately April or May 2009, Officer A came home after being out drinking and they argued about that. She went to the bathroom with the couple's three daughters because Officer A was very upset. He opened the bathroom door, held his handgun to Subject 1's head, and said that he was going to kill her. The couple's oldest daughter called Subject 1's mother, who came to the house and calmed Officer A. Subject 1 also alleged that Officer A physically abused her on other unknown dates during their marriage, including using wrist locks and other police control tactics. She never went to the hospital or reported earlier incidents to the police.

In a statement with COPA on December 6, 2017,<sup>4</sup> **Accused Officer A**, denied the allegations against him. Officer A acknowledged that he and Subject 1 argued about the contents of a bag on the date in question but Officer A denied grabbing Subject 1. He acknowledged that he grabbed the bag and that Subject 1's coffee spilled on her when he did so. Officer A stated that he was missing some clothing and that is why he wanted to look in Subject 1's bag. Subject 1 told one of the couple's daughters to call police and she did. Officer A waited for on duty officers to arrive. Officer A denied ever punching Subject 1 on the face and denied that any incident involving a gun ever occurred. Officer A also denied that there was ever any incident in which Subject 1

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<sup>2</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>3</sup> Attachment 7

<sup>4</sup> Attachment 20

tried to lock herself in a bathroom. He acknowledged that they argued a lot during the time of this incident but denied that their fights were physical.<sup>5</sup>

### b. Digital Evidence

Two **911 calls** were placed during the incident. The first call<sup>6</sup> came from a female who stated that her parents were shouting at each other. The caller provided her last name as "Subject 1". The second call<sup>7</sup> came from a female caller who identified herself as "Civilian 1" who stated that her daughter, Subject 1, had texted her and told her that Officer A was pushing her.

### c. Documentary Evidence

In an **Initiation Report**,<sup>8</sup> Sergeant A reported that Subject 1 told him that as she was exiting her residence, Officer A grabbed a bag that was on her shoulder and she lost her balance which caused a coffee spill. Sergeant A stated that Subject 1 did not complain of injury and that he did not observe any injuries. Sergeant A stated that he did not request an Evidence Technician to photograph Subject 1 because she told him she was leaving her residence.

In a **To From Subject Report** dated August 24, 2015,<sup>9</sup> Officer A reported that he and Subject 1 argued on August 23, 2015 and that during the argument Subject 1 told him that she was going to register a complaint against him stating that he had punched her in the face. Officer A reported that Subject 1 had made the same threat twice in the week prior to his report.

## VI. ANALYSIS

COPA recommends a finding of **Not Sustained** for Allegation #1 against Officer A, that he grabbed Subject 1 causing bruising. Subject 1 made the allegation and Officer A denied it. The officers who responded to the residence did not observe any injuries. There is insufficient available evidence to either sustain or refute this allegation.

COPA recommends a finding of **Not Sustained** for Allegations #2 and 3 against Officer A, that he punched Subject 1 on the face and pointed a handgun at her and threatened to kill her. Subject 1 made the allegations and Officer A denied them. Subject 1 did not report the alleged incidents at the time they occurred and there are no contemporaneous account. There is insufficient available evidence to either sustain or refute these allegations.

## VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

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<sup>5</sup> Subject 1 had filed for divorce prior to the August 25, 2015 incident but the couple later reconciled. As of the time of Officer A's statement to COPA, they were still married and living together.

<sup>6</sup> Attachment 13

<sup>7</sup> Attachment 14

<sup>8</sup> Attachment 4

<sup>9</sup> Attachment 16

Officer	Allegation	Finding
Officer A	<p>1. The complainant alleged that the accused officer grabbed her causing bruising, in violation of Rule 9.</p> <p>2. The complainant alleged that the accused officer punched her on the face, in violation of Rule 9.</p> <p>3. The complainant alleged that the accused officer pointed a handgun at her and threatened to kill her, in violation of Rule 38.</p>	Not Sustained
		Not Sustained
		Not Sustained

Approved:

*Deputy Chief Administrator A – Chief Investigator*

Date

### Appendix A

#### Assigned Investigative Staff

<b>Squad#:</b>	X
<b>Investigator:</b>	Investigator A, #XX
<b>Supervising Investigator:</b>	Supervising Investigator A, #XX
<b>Deputy Chief Administrator:</b>	Deputy Chief Administrator